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Letter dated 28 December 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from the Islamic Republic of Iran, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you would arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

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Annex

[Original: English]

Letter dated 27 December 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Chairman of the Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Upon instruction from my Government, I have the honour to enclose a report from the Islamic Republic of Iran to the Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001) (see enclosure).

I should be grateful if you would have the text of the present letter and the enclosed report circulated as a document of the Security Council.

(*Signed*) Mohammad H. **Fadaifard**
Ambassador
Chargé d'affaires a.i.

Enclosure

Report of the Islamic Republic of Iran to the Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001) of 28 September 2001

As a victim of terrorism, the Islamic Republic of Iran regards terrorism as a global menace which requires a global and comprehensive approach to combat. The Islamic Republic of Iran supports taking a broader view of terrorism and developing, on the basis of international law, short, medium and long term strategies for cooperative efforts at national, regional and international levels to fight terrorism and address its root causes.

The United Nations can play a central role in development of a global, non-selective and non-discriminatory strategy to fight international terrorism in all its forms and irrespective of its motivation, perpetrators and victims, on the basis of international law. The Islamic Republic of Iran takes such comprehensive international campaign to fight terrorism and address its root causes very seriously and regards it a national responsibility to help promote such campaign. It is also in this context that the Islamic Republic of Iran attaches great importance to the implementation of the United Nations Security Council Resolutions, particularly resolution 1373 (2001).

The greater challenge before the international community which will affect the degree of success in fighting acts of international terrorism is, in the view of the Islamic Republic of Iran, twofold. First, greater efforts need to be devoted to developing a common definition of terrorism where the inalienable rights of the people under foreign occupation or colonial domination are ensured. The second challenge is addressing the root causes of international terrorism through long term preventive strategies with a multidisciplinary approach. The international community needs to explore the ground on which violence and terrorism could potentially thrive. In this context, issues like social, political and economic disparities, marginalization, injustices and double-standard that permeate our world, both at national and international levels, must be explored as possible situational causes that may ultimately give rise to terrorism. Furthermore, the relation between terrorism and drug trafficking also needs greater international attention.

The Islamic Republic of Iran views Security Council resolution 1373 (2001) as the first step in that direction, and is committed to cooperating with the United Nations and the Counter-Terrorism Committee of the Security Council to combat terrorism.

Executive Measures

1- Following the adoption of the Security Council resolution 1373 (2001) on 28 September 2001, the Islamic Republic of Iran established a Coordinating National Committee (hereinafter CNC) in order to facilitate implementation of the resolution. The CNC which has held 10 meetings until the drafting of this report on 20 December 2001 comprises of the senior representatives of the following ministries and organizations:

Parliament
Ministry of Foreign Affairs
Ministry of Justice
Ministry of Interior (Police and border guard)
Ministry of Economic and Financial Affairs (custom)
Ministry of Intelligence
Ministry of Commerce
Central Bank
Armed Forces

Members of the CNC discussed their respective areas of responsibility and each issued directives to their ministries or organizations on implementation of resolution 1373 (2001). Each has also held briefing sessions for their own personnel on the requirements of resolution 1373 (2001). The difficulty often raised in the CNC meetings was:

a) absence of a clear definition of terrorism
b) scarcity of information and clues

2- Immediately after the tragic terrorist attacks of 11 September and the ensuing military operation against the Taliban, the Islamic Republic of Iran closed its borders with Afghanistan to prevent entry to the Islamic Republic of Iran of individuals suspected of involvement in acts of terrorism. The Armed Forces of the Islamic Republic of Iran reinforced its forces at the 900 kilometer border with Afghanistan with three additional brigades along with logistic and support units in order to identify and arrest individuals suspected of terrorist activities and drug trafficking.

3- The border guards, including the police, armed forces and security personnel at all points of entry to the Islamic Republic of Iran (airports, land and sea points of entry) were reinforced and briefed about their responsibility under resolution 1373 (2001). The list of individuals and groups associated with Al-Qaeda, circulated as Security Council document SC/7166, of 8 October 2001, was distributed to the border guards to help them control the points of entry to the country and the rest of the borders. No individual on that list was identified in the Islamic Republic of Iran.

4- The Islamic Republic of Iran shouldered a heavy burden in terms of both dispatching and maintaining reinforcement personnel to the borders as well as managing, as a neighbor, the humanitarian consequences of military operations in Afghanistan.

5- Reliable information including the list contained in SC/7166 document were transmitted to the Central Bank of the Islamic Republic of Iran to be investigated by the Financial Intelligence Unit to see if any on the list maintains an account in any bank or financial institution in Iran. The Central Bank issued directive to all banks and financial institutions to report any suspicious account or transaction. No such report has been received.

6- Police, security and intelligence agencies have established a Working Group to study the requirements and the potentials for establishing a data bank and other mechanisms for further coordination among them in connection with gathering, compiling and analyzing information about terrorist groups and the best practices in fighting acts of terrorism and of preventing them.

7- It is a long practice of the Islamic Republic of Iran to post Flight Security Guard(s) in all its domestic and international flights to prevent any interference with flight safety.

8- The Armed Forces of the Islamic Republic of Iran has reinforced its forces (one brigade) at the Iran-Turkey border with two additional brigades along with logistic and support units to prevent infiltration into Iran by members of terrorist organizations.

9- The Islamic Republic of Iran has suppressed recruitment by terrorist groups of Iranian Kurdish nationals for terrorist activities. In connection with these operations at the border areas with Turkey, 13 members of the Armed Forces of the Islamic Republic of Iran have been martyred and more than 50 others wounded.

10- The Islamic Republic of Iran and Turkey established the "High Security Commission" in 1988, to systematically coordinate their efforts against and exchange information about terrorism. The "High Security

Commission" has thus far held eight sessions and many others at sub-commission working level. As a result, Iran-Turkey border has been closed to activities of PKK elements and illegal movements.

11- The MKO terrorist group, harbored in Iraq, supported and instigated by the government of Iraq, commits repeated acts of terrorism at our borders, inside and outside of the Islamic Republic of Iran. In the last 8 months alone, the MKO has committed 99 acts of terror inside Iran, resulting in the martyrdom or injury of 21 civilians and police.

12- The Ministry of Foreign Affairs of the Islamic Republic of Iran has repeatedly warned the government of Iraq to cease harboring, training, assisting and instigating the MKO terrorist group to continue their acts of terrorism.

13- Despite repeated demarches to governments in Europe and the North America where members of MKO receive support, collect funds, recruit new members and broadcast their terrorist activities, MKO terrorist organization continues to operate there.

Legal Issues

1- There are a number of distinct laws in place in the Islamic Republic of Iran that criminalize certain acts that cover some forms of terrorism including those relevant to resolution 1373 (2001). These laws cover acts that intend to, or knowingly cause to result in, including but not limited to, murder, bombing or use of explosive or other means to cause destruction and insecurity and/or instill public fear, interference with safety of air navigation including high jacking, interference with safety of oil and other industries as well as of public utilities, and counterfeiting. The short titles of some of these laws are as follows:

- The Islamic Sentencing law of 1991 and 1996
- Extradition of Criminals Act of 1960
- Punishment of Perpetrators of Misdemeanor and Felony Against Other Countries Act of 1971
- Entry and Residency of Foreign Nationals in Iran Act of 1921 and Amendments
- Passport Act of 1972 and Amendments
- Punishment of Trafficking of Unauthorized Individuals at Borders Act of 1988
- Augmenting Punishment for Arm Trafficking and of Armed Traffickers Act of 1969
- Augmenting Counter-Measures Against Acts of Terrorism by US Administration Act of 1989
- Combating Narcotic Drug Act of 1998 and Amendments
- Punishment of Saboteurs in Iran's Oil Industry Act of 1959
- Punishment of Saboteurs in Industries Act of 1959
- Punishment of Saboteurs in Electricity, Water, Gas and Telecommunications Infrastructures Act of 1974
- Punishment of Saboteurs in aircraft safety and sabotage in the equipments and facilities thereto Act of 1970
- Punishment of Offences in the Railway Act of 1932
- Iran's Atomic Energy Organization Act of 1974
- Presidential Election of the Islamic Republic Act of 1985
- Political and Professional Parties, Societies and Associations Act of 1981
- Punishments for Smuggling of Goods and Foreign Currency Acts of 1995

2- The Islamic Republic of Iran is a party to the following International Conventions and Protocol on terrorism:

Convention on offences and Certain Other Acts Committed on Board Aircraft, Tokyo, 14 September 1963

Convention for the Suppression of Unlawful Seizure of Aircraft, The Hague, 16 December 1970

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Montreal, 23 September 1971

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations, 17 December 1979

Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Montreal, 24 February 1988

3- Other International Conventions on Terrorism including the Convention of the Organization of the Islamic Conference on Combating International Terrorism, adopted at Ouagadougou on 1 July 1999, are in the process of consideration to be presented to the Parliament of the Islamic Republic of Iran.

4- The existing laws in the Islamic Republic of Iran are considered to be sufficient to facilitate implementation of resolution 1373 (2001). Nevertheless, the Ministry of Justice contemplates an overall study of the relevant laws to explore if new legislation is needed to integrate the existing laws or further facilitate the Judiciary's ability to counter terrorism.

5- A bill is being drafted by the Government of the Islamic Republic of Iran to be presented to the parliament on money laundering.

6- The Ministry of Justice is also studying the possible need for some administrative arrangements to resolve, on a legal basis, the issue raised, in Paragraph 5 of the "Executive Measures" above, about the requirement of Paragraph 1 (c) of Security Council resolution 1373 (2001).